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SERIAL NO.: 10/662,779
FILE DATE: September 15, 2003
TITLE: DISTRIBUTED INTERCONNECT

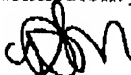
Examiner Steve Jones

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Attorney Name: Bruce B. Brunda Date: March 22, 2005

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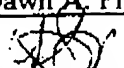
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|--|------------------------|------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 10/662,779 |
| | Filing Date | 09/15/2003 |
| | First Named Inventor | Kent E. Peterson |
| | Art Unit | 2817 |
| | Examiner Name | Stephen E. Jones |
| Total Number of Pages in This Submission | Attorney Docket Number | NORTE-500A |

| ENCLOSURES (Check all that apply) | | |
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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Election with Traverse (of 3 pages); Certificate of Mailing; and Retrun Postcard. |
| Remarks | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | Bruce B. Brunda STETINA BRUNDA GARRED & BRUCKER - Customer No. 007663 | |
| Signature |  | |
| Date | September 15, 2004 | |

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| Typed or printed name | Dawn A. Privett | |
| Signature |  | Date September 15, 2004 |

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Application No.: 10/662,779
Response to Election of Species Requirement of August 31, 2004
Attorney Docket: NORTE-500A

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | | |
|-------------|--------------------------|---|------------------|------------------|
| Applicants: | Kent E. Peterson |) | Confirmation No. | 2186 |
| | |) | | |
| Serial No.: | 10/622,779 |) | Art Unit: | 2817 |
| | |) | | |
| Filed: | September 15, 2003 |) | Examiner: | Stephen E. Jones |
| | |) | | |
| For: | Distributed Interconnect |) | | |
| | |) | | |

ELECTION WITH TRAVERSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's Election of Species Requirement of August 31, 2004, the time set for a response being one (1) month from the mailing date from the U.S. Patent and Trademark Office, i.e. September 30, 2004, Applicant hereby elects, with traverse, the species which is directed to Figure 2. Applicant notes that Claims 1-8 and 18-24 are believed to be readable on the elected species, and, as the Examiner has noted, Claims 1 and 18 are generic.

The above elections are made with traverse for the reasons set herein below.

In the official action of August 31, 2004 the Examiner asserted that the application contains claims directed to distinct species including:

| <u>SPECIES</u> | <u>FIGURES</u> |
|----------------|----------------|
| I. | 2; |
| II. | 3; |
| III. | 5; |
| IV. | 7; |
| V. | 9; and |

Application No.: 10/662,779
Response to Election of Species Requirement of August 31, 2004
Attorney Docket: NORTE-500A

VI.

10.

The Examiner has required an election of one of the aforementioned species.

Applicant respectfully submits that the Examiner has omitted one (1) of the two (2) criteria for a proper restriction requirement now established by the U.S. Patent and Trademark Office policy. That is, as set forth in MPEP §803, "An appropriate explanation" must be advanced by the Examiner as to the existence of a "serious burden" if the restriction requirement were not required.

While the Examiner has alleged a possible distinction between the identified species, the Examiner has not shown that a concurrent examination of species, would present a "serious burden". Applicant respectfully submits that the search for the combination of features recited in the claims of the individual species, if not totally co-extensive, would appear to have a very substantial degree of overlap. Because the search for each species of invention is substantially the same, Applicant submits that no undue or serious burden would be presented in concurrently examining Species 1-6. Thus, for the above-noted reasons, in consistent with the office policy set forth above in MPEP §803, Applicant respectfully request that the Examiner reconsider and withdraw the species requirement in this application.

Furthermore it is noted that Species I, Figure 2 and Species III, Figure 5 are merely variants of similar embodiments thus at a minimum, Applicant requests the Examiner to consider Figures 2 and 5 to be the same species.

For all of the above reasons, the Examiner election of species is believed to be improper. Nevertheless, Applicant has elected, with traverse, the invention defined by Figure 2, i.e. Claims 1-8 and 18-24, in which at least Claim 1 and 18 are generic, in the event that the Examiner chooses not to reconsider and withdraw the election of the instant species requirement.

Should the Examiner have any questions or comments, the Examiner is invited to contact the undersigned at the telephone listed below.

Application No.: 10/662,779
Response to Election of Species Requirement of August 31, 2004
Attorney Docket: NORTE-500A

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: September 15, 2004

By:



Customer No.: 007663

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Registration No. 28,497
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